

vegetable substances. Adulteration was alleged with respect to the remainder of the grapefruit for the reason that a substance, an inedible product, had been substituted in part for the article.

On March 30, 1927, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

15086. Adulteration and misbranding of Grape Zest. U. S. v. 4 Dozen Bottles and 25 Dozen Bottles of Grape Zest. Default decree entered. Product adjudged adulterated and misbranded and ordered destroyed. (F. & D. No. 21612. I. S. No. 10989-x. S. No. W-2087.)

On or about January 29, 1927, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, a libel praying seizure and condemnation of 4 dozen large bottles and 25 dozen small bottles of Grape Zest, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Fairbanks Products Co., Salt Lake City, Utah, in part July 20, 1926, and in part November 20, 1926, and transported from the State of Utah into the State of California, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Fairbanks Compound Grape-Zest for Beverage and Food Fairbanks Products Company Salt Lake City Utah."

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, an imitation grape beverage powder, had been substituted wholly or in part for the said article, and in that it was colored in a manner whereby inferiority was concealed.

Misbranding was alleged for the reasons that the statement "Compound Grape-Zest," borne on the label, was false and misleading and deceived and misled the purchaser and that it was an imitation of and offered for sale under the name of another article.

On March 10, 1927, no claimant having appeared for the property, a decree was entered, finding the product adulterated and misbranded, and ordering that it be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

15087. Misbranding of butter. U. S. v. 40 Boxes and 44 Boxes of Creamery Butter. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 21801, 21802. I. S. Nos. 10914-x, 10915-x. S. Nos. W-2118, W-2119.)

On or about March 17, 1927, the United States attorney for the Southern District of California, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 84 boxes of butter, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Western Creamery Co., Salt Lake City, Utah, on or about March 11, 1927, and transported from the State of Utah into the State of California, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (box) "From Western Creamery Company Salt Lake City Utah," (carton) "Sunset Gold Brand Creamery Butter Pasteurized Quarters 1 Lb. Net."

Misbranding of the article was alleged in the libels for the reason that the statement "1 Lb. Net," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, as the quantity stated was not correct.

On March 18, 1927, the Piggly Wiggly Western States Co., Los Angeles, Calif., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments, of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds totaling \$1,600, conditioned in part that it be relabeled and reconditioned in a manner satisfactory to this department.

W. M. JARDINE, *Secretary of Agriculture.*